## BOROUGH OF DUMONT BERGEN COUNTY, N.J. SPECIAL PUBLIC MEETING MINUTES JULY 2, 2012 6:00 PM

Mayor Kelly called the meeting to order at 6:00PM

Flag Salute; Silent Prayer

**Sunshine Law**: This special meeting was called pursuant to the provisions of the Open Public Meetings Law. Notices of this special meeting of the Governing Body were sent to *The Record* and *The Ridgewood News*, posted on the Borough website and was filed with the Borough of Dumont.

## **Roll Call:**

Council members Brophy, Freeman, Hayes, Zamechansky (via phone)-present Mayor Kelly-present Council members Carrick and Stylianou-absent

Motion to open to the public: Councilman Hayes

Second: Councilman Freeman

All in favor.

Motion to close: Councilman Brophy

Second: Councilman Freeman

All in favor.

The Municipal Clerk read the resolution to enter closed session to discuss NJEIT Phase II

contract negotiations and possible litigation.

Motion: Councilman Brophy Second: Councilman Freeman

Roll call vote: Council members Brophy, Freeman, Hayes, Zamechansky-yes

Return to Public Session

## RESOLUTION

#12-170 NJEIT Phase II Flood Control Project Change Order #3-\$378,161.74

Mayor Kelly explained that the resolution is a change order to the NJEIT Phase II. When the contractor began digging they found that some of the soil was contaminated; it was considered non-hazardous but cannot be used as clean fill. Because of this, the costs became much higher; there were many meetings with the contractor to negotiate the best price. At this point, in order to continue the project, the change order resolution must be approved.

Motion to open to the public: Councilman Hayes

Second: Councilman Freeman

All in favor.

1. John Perley, 160 Delong Avenue, asked why the project was stopped. The Mayor explained that the costs of dealing with the soil escalated. The other option would be to discontinue the project and the cost of stopping the project would probably end up being more than the change order. We currently have a very low interest loan for the project.

Motion to close: Councilman Hayes

Second: Councilman Freeman

All in favor.

Motion to adopt Resolution #170: Councilwoman Zamechansky

Second: Councilman Freeman

Councilman Brophy verified with the attorney that although three of the four voting members live in phase II, they are allowed to vote on this resolution. Mr. Paster responded that they can, according to the rule of necessity.

Roll call vote: Council members Brophy, Freeman, Hayes, Zamechansky-yes Mr. Paster commended Mr. Carrino on his skill in negotiating with the contractor. Motion carried.

Motion to adjourn: Councilman Brophy Second: Councilman Freeman All in favor.

Meeting adjourned at 6:55PM

Minutes respectfully submitted by: Susan Connelly, RMC Municipal Clerk